

## Commodity Futures Trading Commission

## § 145.0

are received, and Commission authorization is required, a Commission attorney shall be designated by the General Counsel to appear and to inform the court or other authority of these regulations and that the subpoena or demand has been referred for prompt consideration by the Commission. The Commission attorney shall request a stay of the demand pending receipt of instructions.

(c) In the event that the court or other authority declines to stay the effect of the demand pending receipt of instructions or in the event that the court rules that there must be compliance with the demand irrespective of instructions not to produce the material or disclose the information sought, the Commission employee or former employee upon whom the demand has been made shall respectfully decline to comply with the demand.

### § 144.6 Fees.

The provisions of § 145.8 of these regulations with respect to fees for production of documents pursuant to the FOIA are applicable to this part.

## PART 145—COMMISSION RECORDS AND INFORMATION

Sec.

145.0 Definitions.

145.1 Information published in the FEDERAL REGISTER.

145.2 Records available for public inspection and copying; documents published and indexed.

145.3 [Reserved]

145.4 Public records available with identifying details deleted; nonpublic records available in abridged or summary form.

145.5 Disclosure of nonpublic records.

145.6 Commission offices to contact for assistance; registration records available.

145.7 Requests for Commission records and copies thereof.

145.8 Fees for records services.

145.9 Petition for confidential treatment of information submitted to the Commission.

APPENDIX A TO PART 145—COMPILATION OF COMMISSION RECORDS AVAILABLE TO THE PUBLIC

APPENDIX B TO PART 145—SCHEDULE OF FEES  
APPENDIX C TO PART 145 [RESERVED]

AUTHORITY: Pub. L. 99-570, 100 Stat. 3207; Pub. L. 89-554, 80 Stat. 383; Pub. L. 90-23, 81 Stat. 54; Pub. L. 98-502, 88 Stat. 1561-1564 (5

U.S.C. 552); Sec. 101(a), Pub. L. 93-463, 88 Stat. 1389 (5 U.S.C. 4a(j)); unless otherwise noted.

### § 145.0 Definitions.

For the purposes of part 145 the following definitions are applicable:

*Assistant Secretary*—refers to the Assistant Secretary of the Commission for FOI, Privacy and Sunshine Acts Compliance.

*Compliance staff*—refers to the FOI, Privacy and Sunshine Acts Compliance staff of the Office of the Secretariat at the Commission's principal office in Washington, DC assigned to respond to requests for information and to handle various other matters under the Freedom of Information Act, the Privacy Act of 1974, and the Government in the Sunshine Act.

*Public records*—in addition to the records described in § 145.1 (material published in the FEDERAL REGISTER) and in § 145.2 (records required to be made publicly available under the Freedom of Information Act), includes those records that have been determined by the Commission to be generally available to the public directly upon oral or written request from the Commission office or division responsible for the maintenance of such records. A compilation of Commission records routinely available to the public upon request appears in appendix A to this part 145.

*Nonpublic records*—are records not identified in § 145.1, § 145.2, or appendix A of this part 145. Nonpublic records must be requested, in writing, in accordance with the provisions of § 145.7.

*Record*—is any information or agency record maintained by the Commission in any format, including an electronic format. It includes any document, writing, photograph, sound or magnetic recording, videotape, microfiche, drawing, or computer-stored information or output in the possession of the Commission. The term "record" does not include personal convenience materials over which the Commission has no control, such as appointment calendars and handwritten notes, which may be retained or destroyed at an employee's discretion.

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